

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:09-cv-460-W**

LAVON S. PRESSLEY,

Plaintiff,

vs.

**CAROMONT HEALTH, INC.
CAROMONT HEALTHCARE
SERVICES, INC., AND GASTON
MEMORIAL HOSPITAL, INC.,**

Defendants.

ORDER

THIS MATTER is before the Court upon Defendants' Motion to Quash Plaintiff's Subpoena (Doc. No. 14) and Motion to Strike Plaintiff's Subpoena (Doc. No. 12). The Court will GRANT Defendants' Motion to Quash and Motion to Strike because Plaintiff's subpoenas were procedurally defective and untimely under Federal Rule of Civil Procedure 45. A subpoena must be issued in accordance with the Federal Rules of Civil Procedure, the Local Rules, and the undersigned's Scheduling Order. As orally advised during a telephone conference with both parties on December 17, 2009, *pro se* Plaintiff may choose to propound interrogatories, serve requests for production or requests for admission, and conduct oral depositions in order to conduct discovery and obtain information relating to her claim.

IT IS THEREFORE ORDERED that Defendants' Motion to Quash Plaintiff's Subpoena and Motion to Strike Plaintiff's Subpoena are hereby GRANTED. The Clerk is directed to mail a copy of this order to Plaintiff at the following address: 111 Lee Street, Belmont, NC 28012.

Signed: December 29, 2009



Frank D. Whitney
United States District Judge

